

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL R. ZINDA, III,

Plaintiff,

v.

AMADOR COUNTY SHERIFF
DEPARTMENT, *et al.*,

Defendants.

Case No. 2:22-cv-01990-KJM-JDP (PC)

FINDINGS AND RECOMMENDATIONS

THAT THIS MATTER BE DISMISSED FOR
FAILURE TO PROSECUTE AND COMPLY
WITH COURT ORDERS AND THAT
DEFENDANT'S MOTION TO DISMISS BE
DENIED AS MOOT

ECF No. 24

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On October 10, 2023, defendant filed a motion to dismiss. ECF No. 24. When plaintiff did not file a timely response, on November 21, 2023, I ordered him to show cause within twenty-one days why this action should not be dismissed. ECF No. 27. I warned him that failure to comply with that order would result in a recommendation that this action be dismissed. *Id.* at 2.

The deadline has passed, and plaintiff has not filed a response to defendant's motion to dismiss or otherwise responded to the November 21, 2023 order.

Accordingly, it is hereby RECOMMENDED that:

1. This action be dismissed without prejudice for failure to prosecute and failure to comply with court orders for the reasons set forth in the November 21, 2023 order.

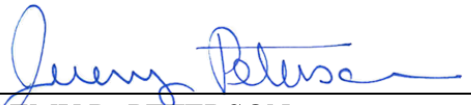
1 2. Defendant's motion to dismiss, ECF No. 24, be denied as moot.

2 3. The Clerk of Court be directed to close the case.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of
5 service of these findings and recommendations, any party may file written objections with the
6 court and serve a copy on all parties. Such document should be captioned "Objections to
7 Magistrate Judge's Findings and Recommendations." Any response shall be served and filed
8 within fourteen days of service of the objections. The parties are advised that failure to file
9 objections within the specified time may waive the right to appeal the District Court's order.
10 *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir.
11 1991).

12
13 IT IS SO ORDERED.

14 Dated: January 9, 2024


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE